



PATENT

Docket No. 2026-4282 #7

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : SZU et al.
Serial No. : 09/744,289 Group Art Unit: TBA
Filed : January 22, 2001 Examiner: TBA
For : **VACCINES AGAINST ESCHERICHIA COLI O157 INFECTION**

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER
35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

COMMISSIONER FOR PATENTS
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Washington, D.C. 20231

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International Division

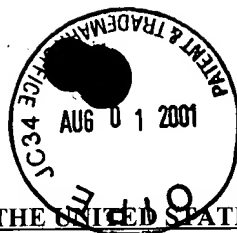
Sir:

In response to the NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) mailed February 6, 2001, submitted herewith are the executed Combined Declaration and Power of Attorney forms, signed by the named inventors, Dr. Shousun Szu and Dr. John Robbins, on their own behalf and signed by Yvonne Ageyman Konadu on behalf of the deceased inventor (Dr. Edward Konadu)'s representative, together with the Fee of \$130.00, and a Petition and Fee for Extension of Time of \$1,890.00, as well as a copy of the Notification itself.

08/07/2001 HNGUYEN 00000141 09744289
02 FC:154 130.00 0P

Dated: August 1, 2001
Mailing Address:
MORGAN & FINNEGAN, L.L.P.
345 Park Avenue
New York, New York 10154
(212) 758-4800

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.
By: Mary J. Morfy
Mary J. Morfy
Registration No. 34,398



2026-4282

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TRANSMITTAL LETTER

Commissioner for Patents
BOX MISSING PARTS
Washington, D.C. 20231

Sir:

Transmitted herewith is:

- 1) Express Mail Certificate, including Express Mail Label No. EL853255295US
- 2) Petition and Fee for Extension of Time (37 C.F.R. § 1.136(a)), including check for \$1890.00 (2 copies)
- 3) Response to Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US), including check for \$130.00
- 4) Copy of Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US)
- 5) Executed Combined Declaration and Power of Attorney form for Shousun Chen Szu and John B. Robbins (4 pages)
- 6) Executed Combined Declaration and Power of Attorney form for Yvonne Ageyman Konadu (4 pages)
- 7) Executed Change of Correspondence Address
- 8) Executed Associate Power of Attorney
- 9) Return receipt postcard

The Commissioner is hereby authorized to charge any additional fees which may be required by this paper, or credit any overpayment to Deposit Account No. 13-4500, Order No. 2026-4282. DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: August 1, 2001
MORGAN & FINNEGAN, L.L.P.
345 Park Avenue
New York, New York 10154
(212) 758-4800 Telephone

By: _____

Mary J. Morry
Mary J. Morry
Registration No. 34,398

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): SZU et al.

Group Art Unit: TBA

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For: VACCINES AGAINST ESCHERICHIA COLI O157 INFECTION

EXPRESS MAIL CERTIFICATE

Express Mail Label No.: **EL853255295US**

Date of Deposit: **August 1, 2001**

I hereby certify that the following attached paper(s) and/or fee

- 1) Transmittal Letter (2 copies)
- 2) Petition and Fee for Extension of Time (37 C.F.R. § 1.136(a)), including check for \$1890.00 (2 copies)
- 3) Response to Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US), including check for \$130.00
- 4) Copy of Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US)
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is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to the Commissioner for Patents, BOX MISSING PARTS, Washington, D.C. 20231.

Jesus Raul Remedios

(Typed or printed name of person mailing paper(s) and/or fee)

(Signature of person mailing paper(s) and/or fee)

Correspondence Address:

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UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: ASSISTANT COMMISSIONER FOR PATENTS
Box PCT
Washington, D.C. 20231

U.S. APPLICATION NO. 09/744289	FIRST NAMED APPLICANT KONADU	ATTY. DCKET NO. E
MORGAN & FINNEGAN 345 PARK AVENUE NEW YORK, NY 10154 0053		INTERNATIONAL APPLICATION NO. PCT/US98/14976
		I.A. FILING DATE 20 JUL 98
		PRIORITY DATE
		DATE MAILED: 06 FEB 2001

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ a Designated Office (37 CFR 1.494),
- ☒ an Elected Office (37 CFR 1.495):
- ☒ U.S. Basic National Fee.
- ☒ Copy of the international application in:
 - ☐ a non-English language.
 - ☒ English.
- ☐ Translation of the international application into English.
- ☐ Oath or Declaration of inventors(s) for DO/EO/US.
- ☐ Copy of Article 19 amendments.
- ☐ Translation of Article 19 amendments into English.
- ☒ The International Preliminary Examination Report in English and its Annexes, if any.
- ☐ Translation of Annexes to the International Preliminary Examination Report into English.
- ☐ Preliminary amendment(s) filed _____ and _____
- ☐ Information Disclosure Statement(s) filed _____ and _____
- ☐ Assignment document.
- ☐ Power of Attorney and/or Change of Address.
- ☐ Substitute specification filed _____
- ☐ Verified Statement Claiming Small Entity Status.
- ☐ Priority Document.
- ☒ Copy of the International Search Report ☐ and copies of the references cited therein.
- ☒ Other: PCT/RO/101, PCT/IB/306

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
 - ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
 - ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ _____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed:

☐ PCT/DO/EO/917

☐ Notice of Defective Translation

☒ PTO-875

FORM PCT/DO/EO/905 (December 1997)

Barbara A. Campbell

Telephone: 703-305-3631